



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,278	02/01/2001	David R. Sturgis	A99285US (98222.1)	8276
22920	7590	03/08/2006		
GARVEY SMITH NEHRBASS & NORTH, LLC LAKEWAY 3, SUITE 3290 3838 NORTH CAUSEWAY BLVD. METAIRIE, LA 70002			EXAMINER PORTER, RACHEL L	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/775,278

Applicant(s)

STURGIS ET AL.

Examiner

Rachel L. Porter

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 60-65, 67-76, 94-106 and 124-133 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 60-65, 67-76, 94-106 and 124-133 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Notice to Applicant***

1. This communication is in response to the amendment filed 12/15/05. Claims 60-65, 67-76, 94-106, and 124-133 are currently pending.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 60-65, 67-76, 94-106, and 124-133 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 60 recites the step of "attempting to validate the policy information obtained in step "a"..." It is unclear from the current claim language whether the actual "validation" step is performed, because it is not positively recited. (i.e. it is merely attempted). The examiner suggests amending the claim language to positively recite the step that is actually performed, not the purpose for the step (e.g. comparing data inputted during step "d" on an individual basis with at least a portion of the policy information obtained in step "a"...).

Claims 61-65, 67-76, 94-106, and 124-133 inherit the deficiencies of claim 60 through dependency and are therefore also rejected.

***Claim Objections***

4. Claim 60 is objected to because of the following informalities: The preamble of the claim recites a method for "improving the loss ratio on a book of insurance for an underwriter...".

It is noted that the claim has been amended, presumably to overcome the present claim objection. However, current claim language, including the amendments, is still drawn to a method of surveying, validating and reporting results. It is unclear to the Examiner how the steps of the claim achieve the purpose stated in the preamble of the claim.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 60-63, 67-72, 74, 75, and 105 rejected under 35 U.S.C. 102(e) as being anticipated by.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 60-63, 67-72, 74, 75, and 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kern (USPN 6,604,080) in view of McMillan (USPN 5,797,134).

[claim 60] Kern teaches a method of surveying a group of insured or potential insureds, the method comprising the steps of:

- b) using a computer having a user interface display for inputting data from responses to a set of survey questions, the display including a plurality of spaces for survey data input; (Figures 5-9)
- c) surveying at least a first portion of the set of insured entities, the survey eliciting responses to the set survey questions in step "b"; (col. 22, lines 48-57)
- d) on an individual basis, for at least a second portion of the set of entities surveyed, inputting data from the responses received in step "c" into the computer at the spaces provided for in the display in step "b"; (Figures 6, 8-12; col. 22, lines 48-57)
- e) based on the data inputted during step "d" on an individual basis, for at least a third portion of the set of entities surveyed, having the computer flag each insured entity that does not meet a set predefined underwriting criteria; and (Figure 6; col. 24, lines 30-42)

f) reporting survey information on at least a fourth portion of the insureds who were flagged in step "d". (col. 24, lines 43-49—insured in notified by larger premium/deposit requirement)

Claim 60 has been amended to recite a first step of a) obtaining a set of information for the insured entities upon which binding of each policy was based. Kern discloses obtaining information for insurance purposes (Figures 5-9), but does not expressly disclose that it is information upon which binding of each policy was based. McMillan discloses providing information upon which binding of each policy was based. (Figure 2, col. 10, lines 5-23; lines 27-33) Claim 60 has been further amended to recite comparing the obtained data used to provide a binding policies with survey data to validate the data, Kern discloses surveying the insured entities but does not disclose the recited comparison step. McMillan discloses the step of comparing obtained data with survey data to validate the data and to determine appropriate insurance costs for insured entities. (col. 10, lines 10-23; col. 10, lines 63-66) McMillan further discloses providing this information to the underwriters (col. 11, lines 7-10) At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Kern with the teaching of McMillan to compare/validate the data which is used for insurance underwriter purposes. As suggested by McMillan, one would have been motivated to include this feature to allow insurers to more accurately assess the likelihood and cost of a claim (col. 2, lines 40-55)

[claim 61] Kern teaches the method of claim 60, wherein the set of policy information comprises each insured's name, insurance classification codes, number of employees, and payroll. (Figures 13-15)

[claims 62-63] Kern teaches a method wherein at least one screen includes radio buttons and wherein there is a plurality of input screen for inputting survey data (Figures 8-10)

[claim 67] Kern teaches the method of claim 60 wherein information regarding the agents for the surveyed customers is also gathered/indexed with the surveyed insureds (Figures 11 and 16—agent/broker)

[claims 68-72] Kern discloses the method of claim 60, wherein the following information is gathered: performing repair/installation work (Figure 18), work in blasting (Figure 18); work with caustic fumes or hazardous materials classified under federal regulations (Figure 11—radioactive waste handling); frequency, payment and number of sub-contractors (Figure 11); performing out-of-state work (Figure 11)

[claims 74-75] Kern teaches a method wherein the book of business includes worker's compensation and employers general liability insurance (col. 17, lines 4-11)

[claim 105] Kern teaches a method wherein the computer includes a set of forms (i.e. surveys) for identifying insured who meet certain criteria. (Figure 4, 13-15)

9. Claims 64 and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kern and McMillan as applied to claim 60, and in further view of Official Notice.

[claim 64] Kern and McMillan teach a method of gathering data to assess insurance risk as recited in claim 60, but does not expressly disclose that the data is gathered using the telephone. However, it is noted that conducting surveys or questionnaires via the telephone is old in the art. At the time of the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Kern and McMillan to gather data via the telephone. One would have been motivated to include this feature to increase the marketability of the method by accommodating the communication requirements and limitations of the consumer.

[claim 73] Kern and McMillan teaches the method recited in claim 60, as explained in the rejection of claim 60. Kern does not expressly disclose that the survey is flagged when an applicant does not complete a survey in a set number of attempts. However, "timeout" features are old and well known in the art. At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to flag a survey that has not been completed (i.e. within a set period of time). One would have been motivated to include this feature to ensure that all required data for a fair comparison among entities is present so that an accurate assessment may be made.

10. Claims 65 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kern and McMillan, as applied to claim 60 in view of Greco et al (USPN 5,809,478).

[claim 65] Kern teaches the method of claim 60, as explained in claim 60, but does not expressly disclose that the method accommodates the subjective opinion of a surveyor (i.e. system is flagged by the subjective opinion of a surveyor). Greco teaches a system/method in which the independent/subjective opinion of a survey reviewer is accommodated and given weight. (col. 8, lines 46-51; col. 9, lines 10-15) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Kern and McMillan with the teaching of Greco to allow give weight to the review of a surveyor. As suggested by Greco, one would have been motivated to include this feature to improve the overall quality of insurance product purchased by consumers. (col. 1, lines 34-38)

11. Claims 76, 94-98, 101-103,106,124-128,and 131-133 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kern and McMillan as applied to claim 60 in view of Peterson et al (USPN 5,884,275).

[claim 76] Kern and McMillan teach the method of claim 74, as explained in the rejection of claim 74. Kern further discloses gathering information on various predefined criteria (Figure 11; col. 24, lines 30-49) and underwriting the insureds, but does not expressly disclose the step of ranking and numerically scoring the insured entities against one another based upon certain predefined criteria and reporting this

Art Unit: 3626

information on insured whose ranking is in a particular range. Peterson teaches method/system for numerically scoring entities based upon a number of risks using a computer, ranking these entities and reporting this information. (col. 11, line 63-col. 12, line 56) Peterson further discloses that this ranking may be provided in ascending order. (Figure 1—ordinal number ranking) At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Kern and McMillan with the teaching of Peterson to score and rank entities based upon a number of criteria. As suggested by Peterson, one would have been motivated to include this feature to target the most hazardous employers for inspections and assistance, (col. 12, lines 59-63), thereby minimizing the risks undertaken by the insurer.

[claims 94-98] Kern and McMillan disclose the method of claim 76, wherein the following information is gathered: performing repair work (Figure 18), work in blasting (Figure 18); work with caustic fumes or hazardous materials classified under federal regulations (Figure 11—radioactive waste handling); frequency, payment and number of sub-contractors (Figure 11); performing out-of-state work (Figure 11) However, Kern does not expressly disclose that the insured entity is ranked based upon this gathered information, although these data are considered in the process of determining insurance rates for the insured. Peterson teaches method/system for numerically scoring a number of risks using a computer, ranking and reporting this information. (col. 12, lines 21-42) At the time of the applicant's invention, it would have been obvious to one of

Art Unit: 3626

ordinary skill in the art to modify the method of Kern and McMillan with the teaching of Peterson to score and rank “hazardous” factors practiced by an insured. As suggested by Peterson, one would have been motivated to include this feature to target the most hazardous employers for inspections and assistance, (col. 12, lines 59-63), thereby minimizing the risks undertaken by the insurer.

[claim 101] Kern teaches a method wherein information obtained and upon which policies are based includes each insured's name, insurance classification codes, number of employees, and payroll. (Figure 4; Figures 13-15)

[claim 102] Kern, McMillan and Peterson in combination teach the method of claim 76, as explained in the rejection of claim 76. Furthermore, Peterson discloses a system wherein someone who is not an employee of the underwriter performs an audit of the entities. (col. 3, lines 20-30—Assessments may be done by federal safety and consulting firms). At the time for the Applicant's invention, it would have been obvious to one of ordinary skill in the art to have the audit performed by a party who is not an employee of the underwriter. As suggested by Peterson, one would have been motivated to include this feature to encourage the sharing of information among the multiple parties required to provide the appropriate information and target employers in need of consulting assistance. (col. 3, lines 7-48)

[claim 103] Kern, McMillan, and Peterson teach method of claim 76, as explained in the rejection of claim 76. Furthermore, Peterson further provides information on loss

Art Unit: 3626

prevention and loss management during the survey to the entity being surveyed.

(Peterson: col. 6, lines 34-37) At the time of the applicant's invention it would have been obvious to one of ordinary skill in the art to further modify the method of Kern, McMillan and Peterson to provide this information to the entity being surveyed. As suggested by Peterson one would have been motivated to include this feature to provide consulting assistance to those employers most in need. (col. 3, lines 7-9)

[claim 106] Kern and McMillan teaches the method of claim 75, as explained in the rejection of claim 75. Kern further discloses gathering information on various predefined criteria (Figure 11; col. 24, lines 30-49) and underwriting the insureds, but does not expressly disclose the step of ranking and numerically scoring the insured entities against one another based upon certain predefined criteria and reporting this information on insured whose ranking is in a particular range. Peterson teaches method/system for numerically scoring entities based upon a number of risks using a computer, ranking these entities and reporting this information. (col. 11, line 63-col. 12, line 56) Peterson further discloses that this ranking may be provided in ascending order. (Figure 1—ordinal number ranking) At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Kern and McMillan with the teaching of Peterson to score and rank entities based upon a number of criteria. As suggested by Peterson, one would have been motivated to include this feature to target the most hazardous employers for inspections and

Art Unit: 3626

assistance, (col. 12, lines 59-63), thereby minimizing the risks undertaken by the insurer.

[claims 124-128] Kern, McMillan, and Peterson disclose the method of claim 106, wherein the following information is gathered: performing repair work (Figure 18), work in blasting (Figure 18); work with caustic fumes or hazardous materials classified under federal regulations (Figure 11—radioactive waste handling); frequency, payment and number of sub-contractors (Figure 11); performing out-of-state work (Figure 11).

However, Kern does not expressly disclose that the insured entity is ranked based upon this gathered information, although these data are considered in the process of determining insurance rates for the insured. Peterson teaches method/system for numerically scoring a number of risks using a computer, ranking and reporting this information. (col. 12, lines 21-42) At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Kern and McMillan with the teaching of Peterson to score and rank "hazardous" factors practiced by an insured. As suggested by Peterson, one would have been motivated to include this feature to target the most hazardous employers for inspections and assistance, (col. 12, lines 59-63), thereby minimizing the risks undertaken by the insurer.

[claim 131] Kern teaches a method wherein information obtained and upon which policies are based includes each insured's name, insurance classification codes, number of employees, and payroll. (Figure 4; Figures 13-15)

[claim 132] Kern, McMillan and Peterson in combination teach the method of claim 106, as explained in the rejection of claim 106. Furthermore, Peterson discloses a system wherein someone who is not an employee of the underwriter performs an audit of the entities. (col. 3, lines 20-30—Assessments may be done by federal safety and consulting firms). At the time for the Applicant's invention, it would have been obvious to one of ordinary skill in the art to have the audit performed by a party who is not an employee of the underwriter. As suggested by Peterson, one would have been motivated to include this feature to encourage the sharing of information among the multiple parties required to provide the appropriate information and target employers in need of consulting assistance. (col. 3, lines 7-48)

[claim 133] Kern, McMillan and Peterson teach method of claim 106, as explained in the rejection of claim 106. Furthermore, Peterson further provides information on loss prevention and loss management during the survey to the entity being surveyed. (Peterson: col. 6, lines 34-37) At the time of the applicant's invention it would have been obvious to one of ordinary skill in the art to further modify the method of Kern and Peterson to provide this information to the entity being surveyed. As suggested by Peterson one would have been motivated to include this feature to provide consulting assistance to those employers most in need. (col. 3, lines 7-9)

Art Unit: 3626

12. Claim 99 and 129 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kern, McMillan and Peterson, as applied to claims 76 and 106, in further view of Official Notice.

[claim 99] Kern, McMillan, and Peterson in combination teach a method for surveying and ranking insured entities as recited in claim 76, as explained in the rejection of claim 76, but do not expressly disclose that the survey is flagged when an applicant does not complete a survey in a set number of attempts. However, "timeout" features are old and well known in the art. At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to flag a survey that has not been completed (i.e. within a set period of time). One would have been motivated to include this feature to ensure that all required data for a fair comparison among entities is present so that an accurate assessment may be made.

[claim 129] Kern, McMillan, and Peterson in combination teach a method for surveying and ranking insured entities as recited in claim 106, as explained in the rejection of claim 106, but do not expressly disclose that the survey is flagged when an applicant does not complete a survey in a set number of attempts. However, "timeout" features are old and well known in the art. At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to flag a survey that has not been completed (i.e. within a set period of time). One would have been motivated to include this feature to ensure that all required data for a fair comparison among entities is present so that an accurate assessment may be made.

13. Claims 100 and 130 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kern, McMillan, and Peterson as applied to claim 76 and 106 in view of Greco et al (USPN 5,809,478).

[claim 100] Kern, McMillan, and Peterson teach a method of surveying and providing numerical rankings to entities as explained in the rejection of claim 76. Furthermore, Kern teaches method wherein information regarding the agents for the surveyed customers is also gathered/indexed with the surveyed insureds (Figures 11 and 16—agent/broker), but does not expressly disclose reporting information regarding numerical rankings and the agent's information. Greco teaches a method system wherein information regarding rating and agent information are reported from an underwriter. (col. 4, lines 4-12) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Kern, McMillan, and Peterson with the teaching to Greco. As suggested by Greco, one would have been motivated to include this feature to facilitate communication between underwriters and agents, improve the speed and accuracy with which policies are processed, and to improve the quality of the product that is provided to the consumer. (col. 1, lines 51-55)

[claim 130] Kern, McMillan, and Peterson teach a method of surveying and providing numerical rankings to entities as explained in the rejection of claim 106. Furthermore, Kern teaches method wherein information regarding the agents for the surveyed

customers is also gathered/indexed with the surveyed insureds (Figures 11 and 16—agent/broker), but does not expressly disclose reporting information regarding numerical rankings and the agent's information. Greco teaches a method system wherein information regarding rating and agent information are reported from an underwriter. (col. 4, lines 4-12) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Kern, McMillan and Peterson with the teaching to Greco. As suggested by Greco, one would have been motivated to include this feature to facilitate communication between underwriters and agents, improve the speed and accuracy with which policies are processed, and to improve the quality of the product that is provided to the consumer. (col. 1, lines 51-55)

14. Claim 104 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kern and McMillan as applied to claim 60, and in view of Official Notice, and in further view of Walker (USPN 6,093,026)

[claim 104] Kern teaches a method of gathering data to assess insurance risk as recited in claim 60, but does not expressly disclose that the data is gathered using the telephone. However, it is noted that conducting surveys or questionnaires via the telephone is old in the art. At the time of the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Kern and McMillan to gather data via the telephone. One would have been motivated to include this feature to increase the marketability of the method by accommodating the communication requirements and limitations of the consumer.

Kern fails to disclose the use multiple survey question to identify inconsistencies. Walker teaches a survey administration method wherein the system compares a user's responses at different stages of a survey to detect in consistencies. Walker further discloses that the survey respondent may be financial penalized for providing inconsistent answers. (see abstract, Figure 10; col. 9, lines 29-col. 10, line 2) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Kern and McMillan with teaching of Walker to detect inconsistent answers in a survey and to penalize the respondent. As suggested by Walker, one would have been motivated to include this feature to ensure that the gathered data accurate and trustworthy (col. 1, lines 56-59)

### ***Response to Arguments***

15. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

Art Unit: 3626


TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel L. Porter whose telephone number is (571) 272-6775. The examiner can normally be reached on M-F, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RP  
RP

  
JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER